

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

REGULATORY AUTH.

RE: COMPLAINT OF US LEC OF
TENNESSEE, INC. AGAINST
ELECTRIC POWER BOARD OF
CHATTANOOGA

Docket No. 02-00562

*02 JUN 10 PM 2 01
OFFICE OF THE
EXECUTIVE SECRETARY

AFFIDAVIT OF HAROLD E. DEPRIEST

Comes the affiant, being duly sworn, deposes and says as follows:

1. My name is Harold E. DePriest. I am the President and Chief Executive Officer of the Electric Power Board of Chattanooga, an independent Board of the City of Chattanooga, Tennessee ("EPB").

2. In my capacity as President, I have general managerial responsibility for EPB's entire operations, and EPB's Internal Audit Division furnishes me with the findings of internal audits.

3. In November of 2001, EPB's Internal Audit Division furnished me with reports documenting the results of an internal audit of EPB's compliance with the Second Revised Proposed Conditions referenced in the Order Approving Application for a Certificate of Public Convenience and Necessity, Docket No. 97-07488 at page 5, footnote 2.

FURTHER, affiant saith not.


Harold E. DePriest

STATE OF TENNESSEE:
COUNTY OF HAMILTON:

Sworn to and subscribed before me this 7th day of June, 2002.

Lovelyn Whitaker
Notary Public

My commission expires: 2/18/2003

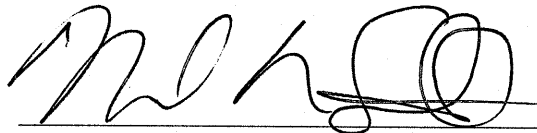
CERTIFICATE OF SERVICE

I certify that a true and exact copy of this pleading has been served upon the following attorneys by delivering a true and exact copy thereof to the offices of said counsel or by placing a true and exact copy of said pleading in the United States mail addressed to said counsel at his office with sufficient postage thereupon to carry the same to its destination:

Henry Walker
Boult, Cummings, Conners & Berry, PLC
414 Union Street, Suite 1600
P.O. Box 198062
Nashville, Tennessee 37219

Guy M. Hicks
BellSouth Telecommunications, Inc.
333 Commerce Street
Suite 2101
Nashville, Tennessee 37201

This 7th day of June, 2002.



For: Strang, Fletcher, Carriger, Walker,
Hodge & Smith, PLLC